

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BILLY DRIVER, JR.,

No. C 11-5793 SI (pr)

Plaintiff,

**ORDER GRANTING EXTENSION OF
TIME FOR NOTICE OF APPEAL**

v.

MARTINEZ, Sergeant; et al.,

Defendants.

This action was dismissed and judgment entered on April 19, 2013. On May 22, 2013, plaintiff filed a request to learn the status of his case. Docket # 32. The clerk sent him a copy of the order of dismissal, judgment, and docket sheet on May 24, 2013. Plaintiff then filed a notice of appeal and attached to it a declaration in which he stated that, as of May 17, 2013, he had not received some mail from the court that apparently was received at the prison on May 3, 2013. Docket # 33. The court construes the declaration to be a request for an extension of time, and GRANTS a 30-day extension of the deadline for plaintiff to file a notice of appeal. *See* Fed. R. App. P. 4(a)(5). With that extension, plaintiff's notice of appeal is timely filed.

In his notice of appeal, plaintiff requests that the court order a civil rights complaint to be filed on behalf of plaintiff. The request is DENIED. If plaintiff wants to file a civil rights complaint he may do so, but the court will not file one on his behalf. The proper district in which to file a civil rights complaint about conditions at the California State Prison in Lancaster is the U.S. District Court for the Central District of California.

IT IS SO ORDERED.

Dated: June 13, 2013



SUSAN ILLSTON
United States District Judge